

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
)
Plaintiff,) **ORDER GRANTING FURLough**
)
vs.)
)
Delmar Wilson,) Case No. 1:21-cr-237
)
Defendant.)

The court ordered defendant detained following a detention hearing on May 9, 2022, opining:

The United States has met its burden and demonstrates with clear and convincing evidence that there are no conditions the court can presently impose that will reasonably ensure the safety of other persons or the community. Defendant has a history of failing to abide by court orders, a history assaultive behavior, and a history of alcohol abuse for which he is not presently receiving treatment. He has engaged in a pattern of alcohol-related conduct over a period of years, such as driving under suspension and driving under the influence, that poses a risk to the public. He has no presently available treatment options that have the structure, supervision, and security that he requires. The court may revisit this issue on appropriate motion if defendant is able to secure a placement in an inpatient treatment facility that Pretrial Services considers acceptable.

(Doc. No. 18). Defendant is presently in the custody of the United States Marshals Service at the Ward County Jail in Minot, North Dakota.

On June 15, 2022, defendant filed a motion a motion for furlough in which he requested to be temporarily released on June 22, 2022, so that he can travel to Sanford Health in Bismarck, North Dakota, for a medical appointment. (Doc. No. 22). The court denied the motion on June 17, 2022, noting there was an active arrest warrant for defendant in Dunn County, North Dakota. (Doc. No. 23).

On June 21, 2022, defendant filed a second motion for furlough. (Doc. No. 24). Therein he renewed his request to be temporarily released on June 22, 2022, to travel to his scheduled medical

appointment at Sanford Health. He added that Dunn County has withdrawn its arrest warrant for him.

There being no objection from the United States, the court **GRANTS** defendant's motion (Doc. No. 24). Defendant shall be released no earlier than 10:00 AM to the third-party custody of his wife, Colleen Wilson, for transport to his medical appointment at Sanford Health. While on temporary release, defendant shall refrain from any use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. Defendant shall return to the Ward County Jail no later than 5:00 PM on June 22, 2022. Upon his return, he shall be remanded back into custody pending further order of the court. Defendant shall submit to substance abuse testing if directed upon his return to custody to verify his compliance with this court's order.

IT IS SO ORDERED.

Dated this 21st day of June, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court